

October 19, 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXASIN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISIONBY: Tyler Martin  
DEPUTYPAUL VALDEZ AND CURRIE BYRD,  
individually and on behalf of all others  
similarly situated

Plaintiffs

v.

ASSIETTE, LLC d/b/a TARDIF'S  
AMERICAN BRASSERIE and JEAN YVES  
TARDIF, individually

Defendant

CIVIL ACTION NO.  
SA-23-CV-290-OLG**INITIAL SCHEDULING ORDER**

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following initial scheduling order:


1. Phase I discovery, the notice determination stage, will end January 19, 2024. This phase will be limited to the identification of “similarly situated” employees – i.e., persons employed by Defendant in the same or similar capacity as named Plaintiff with the same or similar job title/job description/assigned position or duties and compensated in the same or similar manner – who were employed during the relevant time period (within three years prior to the filing of suit), and the appropriateness of issuing notice to this prospective collective group of employees;<sup>1</sup>
2. Plaintiff’s motion for issuance of notice to the prospective collective group will be filed no later than February 16, 2024;
3. Defendant’s response in opposition, if any, will be filed no later than March 8, 2024;
4. Plaintiff’s reply, if any, will be filed no later than March 15, 2024.

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<sup>1</sup>If there are any written agreements between the employer and identified employees, such as agreements to arbitrate, those agreements would need to be disclosed at this juncture.

The Court will require that the parties submit additional joint proposed scheduling recommendations, including deadlines in the Court's form scheduling order, no later than 15 days after either (1) the close of the notice period, if any, or (2) the date the Court denies Plaintiff's motion for notice.

SIGNED this 19th day of October, 2023.

  
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ORLANDO L. GARCIA  
UNITED STATES DISTRICT JUDGE